

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

EARL HAASE : **CIVIL ACTION**
:
v. :
:
GOVERNMENT OF THE VIRGIN ISLANDS : **NO. 02-110**

ORDER

AND NOW, this 20th day of August, 2009, upon consideration of Plaintiff's Notice of Filing Affirmation of Fees (Document No. 193), and the defendant's response, it is **ORDERED** that the motion is **GRANTED**.¹

IT IS FURTHER ORDERED that in accordance with the Order of May 27, 2009 (Document No. 192), the defendant shall pay plaintiff's counsel the sum of \$300 within ten days of the date of this Order.

s/Timothy J. Savage
TIMOTHY J. SAVAGE, J.

¹ "For work to be included in the calculation of reasonable attorneys' fees, the work must be 'useful and of a type ordinarily necessary' to secure the final result obtained from the litigation." *Planned Parenthood v. AG*, 297 F.3d 253, 266 (3d Cir. 2002). "In computing what is a reasonable award of attorney's fees in a particular case, the court should consider, among other things, the novelty and complexity of the issues presented in that case." *Good Timez, Inc. v. Phoenix Fire & Marine Ins. Co.*, 754 F. Supp. 459, 463 (D.V.I. 1991) (citing *Lindy Bros. Builders v. American Radiator & Standard Sanitary Corp.*, 487 F.2d 161, 168 (3d Cir. 1973)).

The motions for which the plaintiff seeks fees and costs—the motion to strike and the opposition to the defendant's motion for an enlargement of time—do not involve novel or difficult questions of law. Furthermore, the Court has similarly awarded the plaintiff \$300 in attorneys' fees and costs after previously imposing sanctions on the defendant (Document No. 60). Therefore, the fee award will reflect these circumstances. See *Home Depot, U.S.A. v. Bohlke Int'l Airways*, 2001 U.S. Dist. LEXIS 6935, at *1-2 (D.V.I. Apr. 30, 2001) ("The decision whether to award attorney's fees to a prevailing party is entirely within the Court's discretion." (citation omitted)).